

#3

Attorney Docket No. 225/50177

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that my citizenship, postal address and residence are as stated below; that I verily believe I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the invention entitled:

FUEL CELL SYSTEM WITH DEVICE FOR WATER RECOVERY AND METHOD OF OPERATING SUCH A SYSTEM

the specification of which

X is attached hereto, or

was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

100 34 399.6
(Number)

Germany
(Country)

14 July 2000
(Day/Month/Year)

Yes

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint as principal attorneys Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

Crowell & Moring L.L.P.
P. O. Box 14300
Washington, D.C. 20044-4300
Telephone: (202) 628-8800
Facsimile: (202) 628-8844

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

INVENTOR:

Prof. Dr. David W. AGAR

Citizenship:

British

Residence/

Post Office Address:

Holzrichterweg 4
44229 Dortmund, GERMANY

Aug. 29th 2001
(date)

David W. Agar
(signature of 1st inventor)

DECLARATION AND POWER OF ATTORNEY

Page 2

Attorney Docket No. 225/50177

INVENTOR:

Citizenship:

Residence/

Post Office Address:

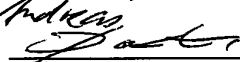
Dr. Andreas DOCTER

German

Koenigstrasse 34

89077 Ulm, GERMANY

Aug. 1st 2001
(date)


(signature of 2nd inventor)

INVENTOR:

Citizenship:

Residence/

Post Office Address:

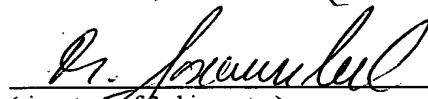
Martin GOSEWINKEL

German

Doenchstrasse 58

59077 Hamm, GERMANY

Aug 27 2001
(date)


(signature of 3rd inventor)

INVENTOR:

Citizenship:

Residence/

Post Office Address:


Marc SOMMER

German

Loherstrasse 3

89081 Ulm, GERMANY

Aug 2nd 2001
(date)


(signature of 4th inventor)